

**CITY OF CENTRAL
CITY COUNCIL MEETING
June 2, 2015**

CALL TO ORDER

A regular meeting of the City Council for the City of Central was called to order by Mayor Engels at 7:04 p.m., in City Hall on June 2, 2015.

ROLL CALL

Present: Mayor Engels
Mayor Pro Tem Heider
Alderman Voorhies
Alderman Gaines
Alderman Laratta

Absent: None

Staff Present: City Manager Miera
City Clerk Bechtel
Attorney McAskin
Finance Director Adame
Fire Chief Allen

The Pledge of Allegiance was recited by all present.

ADDITIONS AND/OR AMENDMENTS TO THE AGENDA

The agenda was approved as presented.

CONFLICTS OF INTEREST

No Council Member disclosed a conflict regarding any item on the agenda.

CONSENT AGENDA

Alderman Gaines moved to approve the consent agenda containing the regular bill lists of May 21 and 28; and the City Council minutes for the meeting on May 19, 2015. Mayor Pro Tem Heider seconded, and without discussion, the motion carried unanimously.

PUBLIC FORUM/AUDIENCE PARTICIPATION

No one requested time to address the Council.

SECOND READING AND PUBLIC HEARING

Ordinance No. 15-04: *An ordinance of the City Council of the City of Central, Colorado amending Sections 6-5-10 and 6-5-40 of the Municipal Code concerning the transportation portion of the Gaming Device Fee and clarifying that such fee is imposed and collected by the Central City Transportation Enterprise.*

City Attorney McAskin gave the background as follows:

Ordinance No. 15-04 proposes minor revisions to Article V of Chapter 6 of the Municipal Code. The minor revisions are being proposed by the City in order to clarify that the portion of the

monthly gaming device fee which is reserved to assist the City in paying costs for transportation services and improvements is a fee imposed by, collected by and spent by the Central City Transportation Enterprise, if and as formed.

City Attorney McAskin added that there will not be any new or different fees only that the transportation device fee revenue will flow into this fund. The city shuttle service can operate outside this fund from revenue in the General Fund.

As set forth above, the minor revisions to Article V of Chapter 6 of the Municipal Code are being proposed by the City in order to clarify that the portion of the monthly gaming device fee which is reserved to assist the City in paying costs for transportation services and improvements is a fee imposed by, collected by and spent by the Central City Transportation Enterprise, which was formed pursuant to Resolution 15-11 dated May 19, 2015.

Mayor Engels opened the public hearing at 7:11 p.m. and invited comment. With no comments offered, Mayor Engels closed the public hearing at 7:12 p.m.

Alderman Gaines moved to approve Ordinance No. 15-04: An ordinance of the City Council of the City of Central, Colorado amending Sections 6-5-10 and 6-5-40 of the Municipal Code concerning the transportation portion of the Gaming Device Fee and clarifying that such fee is imposed and collected by the Central City Transportation Enterprise. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

ACTION ITEMS: NEW BUSINESS

Ordinance No. 15-03: *An ordinance repealing and reenacting Article I of Chapter 18 of the City of Central Municipal Code to adopt by reference the International Building Code, 2015 Edition; the International Fire Code, 2015 Edition; the International Residential Code for one and two family dwellings, 2015 Edition; the International Mechanical Code, 2015 Edition; the International Plumbing Code, 2015 Edition; the International Energy Conservation Code, 2015 Edition; the International Existing Building Code, 2015 Edition; the International Fuel Gas Code, 2015 Edition; and, making specific amendments to the above referenced codes.*

Building Official Pringey gave the background as follows:

These proposed codes are the current published codes, replacing the 2012 editions of these codes which, in turn replaced the 2009 editions of these codes and as currently adopted by the City of Central. The published codes are the product of a continuing process to incorporate the contributions of professional involved in the design, construction, use and regulation of buildings. New editions include provisions recognizing new materials and methodologies and corrections to existing provisions as the industry continues to change. Adoption of the current codes improves the uniformity of regulations throughout a region which, in turn, improves the ability to designers, contractors, and suppliers to work with government regulation and provide better consistency of compliance with that regulation.

Colorado Code Consulting (CCC), the City's on-call building official has met with Staff to review any changes and amendments. The City of Central adopted the 2009 editions of applicable I-codes and, like many jurisdictions did not adopt the 2012 editions of those codes when they became available. The costs of adopting the new codes every three years when they are newly published have become prohibitive. Those costs include the books, the adoption process and hearings, and the training of staff and the development community on the new codes. Waiting more than two cycles

(six years) to adopt the new codes also includes additional costs. Those costs will include training staff and the development community on more than six years of changes and is not recommended. The amendments proposed for this adoption are consistent with the amendments to the adoption of the 2009 codes. In some cases, previous amendments could be deleted because the new codes have incorporated the changes. In some cases, amendments are proposed to address changes at the national level that may not be necessary or cost efficient at this locale. The most significant amendments may be those to Chapter 9 of the IBC and to Chapter 9 of the IFC. Those changes will increase the requirements for automatic fire sprinkler systems for all buildings except residential buildings. The proposed amendments will not increase requirements for automatic sprinkler systems in residential buildings and, actually, will reduce those requirements from the published codes.

Alderman Voorhies moved to adopt Ordinance No. 15-03: An ordinance repealing and reenacting Article I of Chapter 18 of the City of Central Municipal Code to adopt by reference the International Building Code, 2015 Edition; the International Fire Code, 2015 Edition; the International Residential Code for one and two family dwellings, 2015 Edition; the International Mechanical Code, 2015 Edition; the International Plumbing Code, 2015 Edition; the International Energy Conservation Code, 2015 Edition; the International Existing Building Code, 2015 Edition; the International Fuel Gas Code, 2015 Edition; and, making specific amendments to the above referenced codes and set the Public Hearing for July 7 at 7:00pm. Mayor Pro Tem Heider seconded, and without discussion, the motion carried unanimously.

Resolution No. 15-12: *A resolution appropriating additional sums of money in relation to the creation of the Transportation Enterprise Fund not appropriated in the 2015 Budget for the City of Central.*

Finance Director Adame explained that at the time of the adoption of the 2015 Budget the creation of the Transportation Enterprise Fund was not anticipated. With the creation of the Transportation Enterprise Fund, it is required for City Council to appropriate the sum of monies anticipated to be expended. Therefore, an additional supplemental appropriation is necessary in order to remain in compliance with statutory budget law.

The Transportation Enterprise Fund of the City requires the supplemental budget appropriations for anticipated expenses throughout the year. The fund and amounts of additional appropriations needed are shown below:

<u>Transportation Enterprise Fund</u>	
Capital Outlay	\$1,521,642
Loan Issue Costs	10,000
<u>Contingency</u>	<u>14,358</u>
Total Requested	\$1,546,000

<u>Original</u>	<u>Supplemental</u>	<u>Increase</u>
\$ 0	\$1,546,000	<u>\$ 1,546,000</u>
Total Increase in Appropriations		\$ 1,546,000

The requested increase in allocations for the fund is reflective of the anticipated costs during the 2015 year. A brief description of the fund's requested increase is shown as follows:

- The expenditures for capital outlay are representative of the anticipated use of the loan proceeds for the Storm Water Drainage Master Plan, Central City Parkway Repairs, Nevada Street

Retaining Wall Repairs and the Central City Parkway Rock Fall Mitigation projects.

- The expenditure for the Loan Issue Costs is an estimate at this time. The actual amounts will not be known with specificity until the anticipated loan with The Colorado Department of Transportation is in final form.
- The expenditure for Contingency is included to appropriate funds for any unforeseen expenditures from the Transportation Enterprise Fund in 2015.

Mayor Pro Tem Heider moved to approve Resolution No. 15-12: A resolution appropriating additional sums of money in relation to the creation of the Transportation Enterprise Fund not appropriated in the 2015 Budget for the City of Central. Alderman Gaines seconded, and without discussion, the motion carried unanimously.

Resolution No. 15-13: *A resolution of the City Council of the City of Central, Colorado, establishing the Main Street Central City Commission.*

City Manager Miera reviewed the background for proposed Resolution No. 15-13 which establishes the Main Street Central City Commission. The City Council previously adopted Resolution No. 14-18 establishing the Main Street Steering Committee and the Steering Committee has completed its report to City Council.

City Council also previously adopted Resolution No. 15-10 on April 21, 2015, authorizing participation in the Main Street® Program and supporting the operation of Main Street Central City.

If formed, the Main Street Commission would be an advisory commission to City Council.

The proposed Resolution establishes the Main Street Central City Commission (the “Main Street Commission”). As set forth in Resolution 15-13, the Main Street Commission will consist of five (5) members and one (1) alternate member, each of whom will be a resident of the City, own property within the City, or be employed by a City business.

The five (5) regular members and one (1) alternate member will be appointed by the Mayor, upon confirmation by majority of the City Council. The Commission members will have four year staggered terms. The Resolution requires the Main Street Commission to undertake the following functions:

- A. Promote and encourage the development, public awareness of and interest in Main Street Central City;
- B. Advise the City Council in connection with all matters relating to Main Street Central City and the Main Street® Program, including the following areas:
 - (1) The organization of the community into a strong team that works cooperatively toward the common goal of improving and revitalizing downtown Central City;
 - (2) The promotion of downtown Central City, promoting and marketing the image of Central City to potential visitors, shoppers, investors, business prospects and members of the community at large;
 - (3) The design of the downtown Central City area through appropriate development and streetscape improvements, maintaining, reusing and renovating existing historic structures and ensuring that new development is sensitive to the design guidelines promulgated by the City’s Historic Preservation Commission;
 - (4) The economic restructuring of downtown Central City by assisting the City, the Central City Business Improvement District, and other stakeholders with new

- business recruitment, filling vacant or underutilized space with new or expanded business enterprises;
- C. Perform such other functions associated with Program as the City Council may from time to time direct;
 - D. Make recommendations to the City Council with respect to annual budget appropriations for the activities of the Main Street Commission;
 - E. Assist in the preparation of applications for grants or other sources of funding for the Main Street Commission and the Program;
 - F. Establish, at a minimum, the following committees: (1) organization committee; (2) promotion committee; (3) design committee; and the economic restructuring committee;
 - G. Make recommendations to City Council on such other downtown-revitalization efforts as may be referred to the Main Street Commission by City Council;
 - H. Make a recommendation to the City Manager regarding the individual that will serve (in a part time capacity) as the Executive Director of the Main Street Commission;
 - I. Elect a chair and vice-chair from among its members in accordance with Section 9.1(c) of the Home Rule Charter; and
 - J. Adopt procedures and rules of order.

Alderman Gaines moved to approve Resolution No. 15-13: A resolution of the City Council of the City of Central, Colorado, establishing the Main Street Central City Commission. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

Ordinance No. 15-05: *An ordinance of the City Council, acting as the governing body of the Central City Transportation Enterprise (the "Enterprise"), authorizing the Enterprise to enter into a loan agreement and related documents with the Colorado Department of Transportation for a principal amount not to exceed \$1,521,693 and an interest rate not to exceed 2.5%.*

Finance Director Adame explained that the City has determined a need for a loan to ensure adequate cash flow for current transportation related projects and as such the Transportation Enterprise Fund has requested a loan from the SIB in the amount of \$1,521,693.

The Colorado Department of Transportation and the City have agreed to the terms and conditions of a loan agreement and related documents for a principal amount of \$1,521,693 at a rate interest of 2.5% payable from revenues available to the Transportation Enterprise Fund with a ten year repayment schedule.

The anticipated use of the loan proceeds are for the Storm Water Drainage Master Plan, Central City Parkway Repairs, Nevada Street Retaining Wall Repairs and the Central City Parkway Rock Fall Mitigation projects.

Alderman Voorhies moved to adopt Ordinance No. 15-05: An ordinance of the City Council, acting as the governing body of the Central City Transportation Enterprise (the "Enterprise"), authorizing the Enterprise to enter into a loan agreement and related documents with the Colorado Department of Transportation for a principal amount not to exceed \$1,521,693 and an interest rate not to exceed 2.5% and set the Public Hearing for June 19, 2015 at 5:00p.m.. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

STAFF UPDATES

City Manager Miera updated Council on his recent meeting with Black Hawk City Manager Lewis

regarding the shuttle service. Black Hawk would like to staff to discuss details and cost and then arrange a joint meeting between the Councils to discuss those details.
The Main Street Lightning Pilot program has had positive feedback so far.

COUNCIL COMMENTS

Alderman Voorhies noted that she has been asked why there is not a fee for non occupied buildings and also added that the comments from citizens to her for the Main Street Lightning Pilot program have been from both ends of the spectrum. Some like the lights and some do not.

Alderman Gaines offered thanks to Aaron Behring for his work as Interim and offered her welcome to Sam Hoover. She also thanked all who helped with the Community Pride Day and updated the Council on the Farmers Market which is moving forward and will be administered by a private party.

Mayor Pro Tem Heider thanked Alderman Gaines for her efforts with the Farmers Market.

Alderman Laratta expressed her excitement for the feeling in the City and the beautification efforts which are very inviting.

Mayor Engels added his thanks for all the effort to make Community Pride Day a success.

PUBLICFORUM/AUDIENCENPARTICIPATION

Barbara Thielemann, 101 H Street, thanked Council for the approval of the Main Street Commission which will help with the application for a Main Street Central designation. Also, there will be a *Save the Belvidere* meeting on June 9 at 7:30pm.

Toni Banks, 8348 Virginia Canyon Road, expressed her concern about a sink hole that was capped two feet from her property line and would like the City to provide detailed information on the stability of that area.

EXECUTIVE SESSION

Alderman Gaines moved to adjourned into Executive Session pursuant to C.R.S. 24-6-402(4)(e) for the purposes of developing positions relative to matters that may be subject to negotiations; developing strategies for negotiations; and instructing negotiators regarding historic property located on Eureka Street in Central City. Mayor Pro Tem Heider seconded, and without discussion, the motion carried unanimously.

At 7:51 p.m., Mayor Engels adjourned the meeting.
The next Council meeting is scheduled for July 7, 2015 at 7:00 p.m.

Ronald E. Engels, Mayor

Reba Bechtel, City Clerk